

ALABAMA STATE BOARD OF ELECTRICAL CONTRACTORS
ADMINISTRATIVE CODE

CHAPTER 303-X-2
OPERATIONS OF THE BOARD

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303-X-2-.01 Financial Operation. The Board shall have the power to set amounts to be collected, to cause all monies to be collected and deposited with State Treasurer, to cause expenses to be paid out of such funds by voucher and requisition in accordance with Alabama state law.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986.

303-X-2-.02 Licensing Of An Electrical Contractor, Master Electrician And Journeyman Electrician. The Board shall have the power to determine the requirements for licensing a person to be an electrical contractor, master electrician and journeyman electrician in the State of Alabama. They shall review or cause

to be reviewed each applicant's file to ensure that all requirements are met. The Board shall collect application fees as provided herein. The Board shall

(a) prepare or approve all examinations of applicants for licenses;

(b) determine the qualifications of an electrical contractor or master electrician to engage in the business of electrical contracting, working as a master electrician or journeyman electrician;

(c) investigate alleged violations of the provisions of this act and any other law of this state pertaining to electrical contracting or working as a master electrician or journeyman electrician and any rules and regulations adopted by the Board.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-X-2-.03 Renewal Of Licenses. The Board shall have the power to set renewal fees and fees for late payment. All licenses shall expire annually with the first annual licenses being issued on a pro rata basis in accordance with the Board's regular billing cycle. All applications for renewal of licenses shall be filed with the executive secretary prior to the expiration date accompanied by the annual renewal fee prescribed by the Board. The Board shall cause to be issued renewal notices to each licensed electrical contractor, master electrician and journeyman electrician from the previous year to the last known address.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-X-2-.04 Reinstatement Policy. Electrical contractors, master electricians or journeyman electricians who have allowed their licenses to lapse for whatever reason within two years from the date of expiration may be restored after payment of the prescribed restoration fee. Any license which has not been restored within two years following its expiration may not be renewed, restored or reissued thereafter. The holder of such a cancelled license may apply for and obtain a valid license only upon compliance with all relevant requirements for issuance of a new license. A suspended license is subject to expiration and

must be renewed or restored as provided for in this act during the term of suspension.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-X-2-.05 Fees. The Board is empowered to establish and charge reasonable fees for the administration of examinations, issuance of all licenses and supplying information to applicants, licensees and the general public. Such fees shall be commensurate with the cost of fulfilling the duties of the Board. The Fees are as follows:

A.	Electrical Contractor Examination Fee	\$165.00
B.	Journeyman Electrician Examination Fee	\$115.00
C.	Electrical Contractor License Fee	\$200.00
D.	Journeyman Electrician License Fee	\$ 35.00
E.	Electrical Contractor Renewal Fee	\$200.00
F.	Journeyman Electrician Renewal Fee	\$ 35.00
G.	Electrical Contractor Late Renewal Fee	\$ 50.00
H.	Journeyman Electrician Late Renewal Fee	\$ 15.00

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986.

Amended: Filed February 9, 2007. Effective March 16, 2007.

303-X-2-.06 Display Of License. A license bearing the licensee's name and license number shall be issued by the Board and signed by the executive secretary for the Board. All licenses issued by the Board shall be prenumbered when printed and records maintained on each license. Upon reasonable written request and payment of fee, a duplicate or a corrected license may be issued. A license shall be issued to an individual only. A licensee will have only one number and one license. The original or Board issued duplicate or corrected license shall be displayed in a conspicuous manner at his principal place of business at all times.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986.

303-X-2-.07 The Board Seal. The Board shall adopt a seal for its use containing the words "ALABAMA ELECTRICAL CONTRACTOR'S LICENSING BOARD."

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986.

303-X-2-.08 License Exemptions.

(1) The Board shall not apply the provisions of this act when

(a) the installation, construction or maintenance of power systems for the generation and secondary distribution of electrical currents constructed under the provisions of the national electrical safety code which regulates the safety requirements of utilities;

(b) to the installation, construction, maintenance or repair of telephone or signal systems by or for public utilities or their corporate affiliates, when such work pertains to the services furnished by such utilities;

(c) to any technician employed by a municipal franchised CATV system;

(d) to any journeyman electrician employed by a state licensee of the Board or a licensee of a county or municipality where the contract work is being performed;

(e) to persons engaging in the electrical contracting business or working as a master electrician or journeyman electrician where there is no governing ordinance or laws requiring a license;

(f) to the owner of any premises or any employee of any such owner when performing electrical work or installing, constructing, maintaining, altering or repairing electrical wiring, equipment or apparatus on such premises;

(g) to an employee or an electric utility when installing or repairing electric appliance and equipment for a customer;

(h) to any retail merchant, or its employees making the installation of or the repair or maintenance on any appliance that the merchant has sold, or to any modular or manufacturer of

the housing industry within the state which is regulated by state and federal governments;

(i) to the installation, construction or maintenance of systems that operate on 25 volts or less.

(2) The above exempted individuals or entities cannot obtain a license as an electrical contractor or master electrician under the provisions of this act.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-X-2-.09 Administration Of Examination. The Board has the power to administer or cause to be administered an examination to a qualified applicant for a license. This examination will be in accordance with any national standardized examination which the Board shall approve and may be administered to all applicants in lieu of or in conjunction with any other examination which the Board shall give to test the qualifications of the applicants. The Board shall also have the right to establish such norms of achievement as shall be required for a passing grade. No electrical contractor or master electrician's license shall be issued except in compliance with this act and none shall be issued except to a person or a person in a firm, partnership, association or corporation. The journeyman electrician's license shall be listed in the individual's name only and shall not be required to be licensed with a firm, partnership, association, or corporation. The electrical contractor or master electrician must be legally qualified to act for the firm, partnership, association or corporation in matters connected with its contracting business and concerning regulations by the Board and that he has authority to supervise work undertaken by the firm, partnership, association or corporation. At least one member or supervising employee of the firm, partnership, association or corporation must be qualified under this act in order for the firm, partnership, association or corporation to engage in electrical contracting. If any individual so qualified on behalf of the firm, partnership, association or corporation, ceases to be affiliated with the firm, partnership, association or corporation, he shall notify the Board thereof within thirty days after such occurrence. In addition, if the individual is the only qualified individual affiliated with the firm, partnership, association or corporation, then the firm, partnership, association or corporation shall notify the Board of the individual's termination, and the firm, partnership, association or corporation shall have a period of sixty days from the

termination of the individual with the firm, partnership, association or corporation in which to qualify another person under the provision of this act. The individual shall also inform the Board in writing when he proposes to engage in contracting in his own name or in affiliation with another firm, partnership, association or corporation, and he shall supply the same information to the Board as required for applicants under this act. Upon a favorable determination, the Board shall license the individual with the firm, partnership, association or corporation as qualified, and the Board shall forthwith issue, without charge or examination, a new license in the individual's name with the name of the new firm, partnership, association or corporation. A firm, partnership, association or corporation, as such, shall not be licensed. No license shall be issued by the Board without an examination of the applicant. These provisions shall in no way prohibit the governing authorities of each county and municipality in the State of Alabama from exercising the authority to require any person engaging in the electrical contracting business as an electrical contractor, master electrician or journeyman electrician to stand and attain a passing grade on an examination administered by such county or municipality to evidence their ability and proficiency to engage in the electrical contracting business as an electrical contractor, master electrician or journeyman electrician; provided, however, that any person who holds a valid statewide license shall be deemed qualified and, upon satisfactory proof of said license, shall be allowed to perform forthwith electrical work in any county or municipality under the terms and conditions set forth in this act, if such person has the proper county or municipality building permit and business license. All persons performing work under a license issued by the Board must abide by all state and local laws and ordinances. The Board has the power to set qualifications, to review or cause to be reviewed each applicant's qualification. The Board has the power to demand proof of qualifications and personal identification prior to allowing applicants to sit for the examination. The Board has the power to report or cause to be reported the grades to the individuals in accordance with Board policy. Eligibility qualifications may be obtained by writing to the Board's address. All applicants must submit a completed application, application fee, and supportive documents of qualification to establish their file for evaluation. Letter of intent to sit for examinations must be received at least thirty days prior to examination.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-X-2-.10 Complaint And Alleged Violations Procedures.

(1) When charges are made against an electrical contractor, master electrician or journeyman electrician which would justify suspension or revocation, if proven, notice of the specific nature of the charges and the time and place of a hearing will be served upon the accused by registered mail and addressed to the last known address on record, not less than ten days before the date fixed for such hearing. The following acts constitute grounds for which the disciplinary actions may be taken:

- (a) Violation of any provision of Act 85-921;
- (b) Attempting to procure a license to practice electrical contracting, work as a master electrician or journeyman electrician by bribery or fraudulent misrepresentations;
- (c) Having a license to practice electrical contracting, work as a master electrician or journeyman electrician revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another municipality, county, state, territory, or country;
- (d) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of electrical contracting, working as a master electrician or journeyman electrician or the ability to practice electrical contracting, work as a master electrician or journeyman electrician;
- (e) Making or filing a report or record which the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those which are signed in the capacity of a licensed electrical contractor, master electrician or journeyman electrician;
- (f) Upon proof that the licensee is guilty of fraud or deceit, or of negligence, incompetency, or misconduct in the practice of electrical contracting, working as a master electrician or journeyman electrician;
- (g) Practicing on a revoked, suspended, or inactive license;

(h) Willfully or deliberately disregarding and violating the applicable building codes or laws of any municipality or county thereof;

(i) Aiding or abetting any person to evade any provision of this act;

(j) Knowingly combining or conspiring with any person by allowing one's license to be used by any unlicensed person with the intent to evade the provisions of this act. When a licensee allows his license, except the journeyman electrician, to be used by one or more firm, partnership, association or corporation without having any active participation in the operations or management of said firm, partnership, association or corporation, such act constitutes prima facie evidence of an intent to evade the provisions of this act;

(k) Acting in the capacity of a contractor under any license issued hereunder except in the name of the licensee as set forth on the issued license;

(1) Disciplinary action by any municipality or county, which action shall be reviewed by the Board before the Board takes any disciplinary action of its own.

(2) When the Board finds any electrical contractor, master electrician or journeyman electrician guilty of any of the grounds set forth in the above, it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure;

(b) Revocation or suspension of a license;

(c) Imposition of an administrative fine not to exceed \$1,000 for each count or separate offense.

(d) Issuance of a reprimand. The Board and the accused may compel the attendance of witnesses by subpoena issued through the circuit court of Montgomery County, Alabama. the names of persons to be subpoenaed by the accused must be given in writing more than five days prior to the hearing date. The Board will conduct such hearing with the assistance of a hearing examiner to be selected and appointed by the Board and will hear all competent and relevant evidence in support of the charges. Upon conclusion of the hearing, the members of the Board will determine the appropriate action to be taken, and shall notify the accused of such action. If the Board suspends or revokes the license, the accused may appeal to the circuit court of Montgomery County, Alabama.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §§34-36-1, et seq.

History: Filed March 7, 1986. **Amended:** Filed June 10, 1988.

303-x-2-.11 General. The Board shall review these rules and regulations as necessary and make changes or amendments in accordance with Alabama state law by a majority vote of the Board present. Any item not covered above shall be determined by the Board members at a scheduled Board meeting.

Author: D. Mike Weeks

Statutory Authority: Code of Ala. 1975, §34-36-1, et seq.

History: Filed March 7, 1986.

303-X-2-.12

Author:

Statutory Authority: Code of Ala. 1975, Act 85-921-6.

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303-X-2-.13

Author:Statutory Authority: Code of Ala. 1975, Act 85-921-7.

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